

IN RE: ZELNORM ® LITIGATION

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION

BERGEN COUNTY

Case No. 280

CIVIL ACTION

FILED

SEP 14 2009

Brian R. Martinotti
J.S.C.

CASE MANAGEMENT ORDER #5

All previous Orders remain in full force and effect except as modified by this Order.

THIS MATTER having been case managed by the Honorable Jonathan N. Harris, J.A.D. T/A, the matter having been reassigned to the Honorable Brian R. Martinotti, J.S.C. pursuant to the Supreme Court's Order of July 14, 2009, the Court having conducted a case management conference on September 14, 2009, all counsel appearing, for good cause shown and for the reasons set forth on the record.

IT IS on this 14th day of September, 2009,

ORDERED,

1. A revised discovery request shall be forwarded to counsel by September 16, 2009.
[Reference is made to the September 4, 2009 letter from Tor A. Hoerman, Esq. to James A. O'Neal, Esq.] Counsel to respond to the revised request by December 1, 2009.
2. Counsel to discuss "trial selection" for cases contained on Schedule A and shall report to the Court by September 16, 2009 if they have agreed to a selection process; if so agreed they each shall select three cases by September 25, 2009; if

they have not agreed then they shall submit their position on selection to the Court by September 30, 2009.

3. A Case Management Conference shall be held on October 5, 2009 at 1:30 p.m. [at this conference if the parties were unable to agree on case selection, the Court will hear argument; if the parties have agreed on a selection then a case specific discovery schedule will be prepared; the Court will also entertain any other relief requested by counsel at this conference.]
4. A copy of this Order to be served upon all parties and posted on the Court's web site within one (1) day.



BRIAN R. MARTINOTTI, J.S.C.